

REMARKS

By this Amendment, claims 1 and 3 are revised, claims 4-7 are canceled, and new claims 8-24 are added to place this application in condition for allowance. Currently, claims 1-3 are before the Examiner for consideration on their merits. Claims 8-24 are also directed to an insert mold member and should be examined as part of this application. New independent claim 13 further defines the resistance giving bent portion with new independent claim 19 further defining the resin supply passage.

In light of the cancellation of claims 4-7, Applicants reserve the right to file one or more divisional applications.

In the outstanding Office Action, claims 1-3 were rejected under 35 U.S.C. § 102(b) based on United States Patent No. 5,135,694 to Akahane et al. (Akahane). In rejecting claims 1-3, the Examiner states that Akahane discloses a metal insert 11 contained in die molds 22 and 23 wherein a bent portion 26 or 261 (i.e. a 45 degree angle) is formed in the resin supply inlet port. The Examiner further contends, by referring to Figs 8 and 9 along with column 4, line 44 through column 5, line 49, that the 45 degree sloped portion 26 (or 261) is thinner than the section to the right thereof per instant claim 2.

In response to this rejection, claim 1 have been revised to further define the thin metal insert as having at least one fixing portion to be fixed in a resin injection chamber. The insert is also defined as having a pressure receiving portion being offset from the fixing portion and receiving a pressure of resin supplied from a resin supply passage. Claim 2 is revised to better characterize the thinned portion of the resistance giving bent portion. Claim 3 is revised to clarify that the resin is supplied from the resin supply passage.

Arguments in favor of the patentability of amended claim 1 and newly submitted independent claims 13 and 19 are submitted below under their respective headings.

Claim 1

It is submitted that Akahane cannot anticipate claim 1, as amended, for the simple

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reason that Akahane does not teach the arrangement of the metal insert and its defined fixing portion and pressure receiving portion.

Turning to Figures 8 and 11 of Akahane, the 45 degree bent (or sloped) portion 26 or 261 is located at one end of the metal insert 11. This one end can be considered to be the claimed fixing portion based on the fact that the insert 11 has the bracket 111 welded thereto, with the bracket 111 nipped by mold walls 22 and 23 and held by pin 25, see col. 4, lines 65-68. The 45 degree bent (or sloped) portion of the gate 26 or 261 agrees in position with the positioning pin 25 and the bracket 111. The metal insert 11 of Akahane encounters little or no deformation when a resin rushes into the chamber from the resin supply passage or gate 26 or 261. In this respect, the 45 degree bent (or sloped) portion 26 or 261 of Akahane is not provided for preventing the deformation of the metal insert 11. Instead, the 45 degree bent (or sloped) portion 26 or 261 is necessary to form the angled proximal end 133 of the wristband body for the mounting bracket 111, not for the purpose identified in the instant application.

The other end of the metal insert 11 of Akahane cannot be considered to be the fixing portion since the fixing portion is defined as fixed in a resin injection chamber, and the other end of the insert is outside the resin injection chamber.

Even assuming that Akahane can be considered to teach the claimed fixing point, Akahane fails to disclose the claimed **pressure receiving portion** of the metal insert which is offset from the fixing portion. The present invention is applied to a metal insert which receives the pressure of a resin supplied from the resin supply passage at the portion being offset from the fixing portion, not at the fixing portion itself. Clearly, Akahane does not teach this aspect of claim 1, and in fact, has the fixing portion in the pressure receiving portion.

Moreover, even if Akahane could be considered to include a "resistance giving bent portion", Akahane still fails to teach or suggest the claimed pressure receiving portion being offset from the fixing portion.

In short, the present invention defined by claim 1 essentially requires a combination of the following two features:

- * resin supply passage having "resistance giving bent portion" and
- * "pressure receiving portion" of the metal insert being offset from the fixing portion.

As pointed out above, the embodiment relied upon by the Examiner fails to teach these features, and the rejection is flawed for this reason.

The Examiner could also argue that each of the above-identified essential features is disclosed as different embodiments, the bent portion in Figures 1-9 with a pressure receiving portion offset from a fixing portion best seen in Figures 14-16. In this respect, Akahane does not disclose an embodiment employing both of the above-identified essential features, as apparent from the purpose and entire disclosure of Akahane.

In addition, the Examiner cannot rely solely on the illustrations of Figs. 14-16 of Akahane to reject claim 1. In these Figures, the metal insert 54 has a pressure receiving portion which receives the pressure of a resin supplied from resin supply passage 62a. In this respect, it could be argued that Akahane discloses a pressure receiving portion of the metal insert which is offset from the fixing portions. However, Akahane does not disclose any resistance giving bent portion and accordingly the embodiment of Figures 14-16 of Akahane is substantially identical with the admitted conventional arrangement shown in Figs. 7A-7C of this application.

Thus, the present invention according to the amended claim 1 is not anticipated by Akahane and accordingly believed to be allowable over the cited prior art reference.

In addition, there is no reason why one of skill in the art would be motivated to combine the two embodiments of Akahane and arrive at the invention. No such explicit suggestion is found in Akahane. Any allegation that it would be obvious to use a pressure receiving pressure portion offset from a fixing portion such as suggested in Figures 14-16 of Akahane in the Figure 1-9 embodiment of Akahane would be the blatant use of hindsight. Likewise, to allege that one of skill in the art would be motivated to use the resistance giving bent portion of Figures 1-9 of Akahane in the Figure 14-16 embodiment would also be hindsight. Consequently, there is no legitimate

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basis to conclude that Akahane establishes a *prima facie* case of obviousness, and any such rejection could not be sustained on appeal.

Claim 13

Claim 13 defines the insert molded member in terms of the insert, a resin body of the supply passage, and the resistance giving bent portion with an inlet port facing an intermediate portion of the metal insert, and is reproduced herein to ease the Examiner's analysis of the argument. .

13. An insert molded member comprising:
a thin metal insert which is fixed at both ends in a rein injection chamber defined in molding dies, and
a resin body of said insert molded member having a portion serving as a resin supply passage for supplying a resin into said resin injection chamber,
wherein a resistance giving bent portion is provided in said resin supply passage, and
said resistance giving bent portion has an inlet port facing an intermediate portion of said metal insert fixed at the both ends thereof.

Noting the previous argument as to the resin supply passage of Akahane being located at the fixed end where a bend exists, see Figures 1-9, Akahane does not teach the features of claim 13, and in particular the claimed resistance giving bent portion having an inlet port facing an intermediate portion of the metal insert. At most, the bent portion of Akahane faces the end of the metal insert not an intermediate portion thereof. Lacking this feature, Akahane cannot anticipate claim 13.

For the same reasons given above for claim 1, there is no reason why one of skill in the art would modify the gate 26 of Akahane so as to have an inlet port facing an intermediate portion of the metal insert. Similarly, there is no reason to form a resistance giving bend in the port of the embodiment of Figures 14-16.

Therefore, claim 13 and its respective dependent claims are also separately patentable over Akahane.

Claim 19

Claim 19 defines an insert molded member and it is also reproduced herein below to ease the Examiner's consideration of the arguments for patentability.

19. (new) An insert molded member including a thin metal insert which is fixed at least at one end thereof in a resin injection chamber defined in molding dies,
wherein

a resin supply passage is connected perpendicularly to said resin injection chamber; and

a resistance giving bent portion is provided in said resin supply passage connected to said resin injection chamber.

As is apparent from claim 19, the insert molded member is defined as having a resin supply chamber connected perpendicularly to the resin injection chamber with the resistance giving bent portion provided in the perpendicularly-connected resin supply passage.

Similar to the arguments made in favor of claims 1 and 13, Akahane neither anticipates nor renders obvious claim 19. Akahane discloses a bent portion in a resin supply passage, 26 or 261 as seen in Figures 8 and 11, with an angulation of 45 degrees.

Claim 19 calls for a perpendicular arrangement between the resin supply chamber and the resin injection chamber, and this arrangement is clearly lacking in Akahane, thus precluding any further rejection of claim 19 under 35 U.S.C. § 102(b).

Moreover, there is no reason that one of skill in the art would be motivated to modify Akahane and make the bent portion 26 or 261 with a perpendicular orientation absent the use of hindsight. The bend in 26 or 261 is specifically designed to accommodate the bracket 111 which attaches to the watch 2. There just would no reason to make the passage and bracket with a perpendicular orientation, especially since this would seem to prevent the attachment to the watch 2. Therefore, there is no reason to reject claim 19 under 35 U.S.C. § 103(a), and this claim and its dependent claims are separately patentable over the applied prior art.

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SUMMARY

In summary, it is contended that each of independent claims 1, 13, and 19 are patentable over Akahane. This patent fails to teach the features of claim 1, as amended, and the features of the insert molded members of claims 13 and 19. Moreover, there is no basis to conclude obviousness for these claims. Thus, independent claims 1, 13, and 19 along with their respective dependent claims are in condition for allowance.

Accordingly, the Examiner is respectfully requested to examine this application and pass claims 1-3 and 8-24 onto issuance.

If the Examiner believes that an interview with Applicant's attorney would be helpful in expediting the allowance of this application, the Examiner is invited to telephone the undersigned at 202-835-1753.

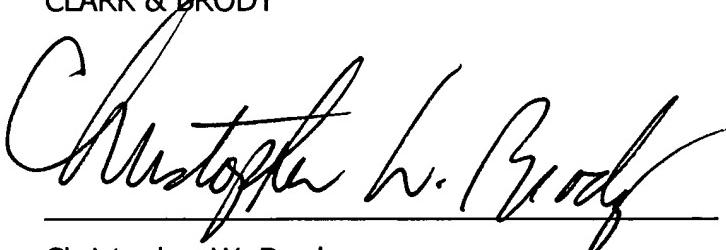
Again, reconsideration and allowance of this application is respectfully requested.

The above constitutes a complete response to all issues raised in the Office Action dated May 9, 2005.

Please charge deposit account no. 50-1088 for any charges in connection with this filing, and credit any overpayments.

Respectfully submitted,
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